

### **REMARKS**

The Examiner rejected claims 1, 14, 22, and 36 under 35 U.S.C. §102(e) as being anticipated by the patent publication to Girard. The Examiner also rejected claim 36 under 35 U.S.C. §102(e) as being anticipated by the patent publication to Son. Finally, the Examiner rejected claims 1-8 and 10-43 under 35 U.S.C. §103(a) as being unpatentable over Son in view of Girard. In response, Applicant has amended claims 1, 14, 22, 25, and 36, and respectfully traverses the rejections.

#### **35 U.S.C. §102(e) Rejections over Girard**

Claim 1 has been amended to include the subject matter of dependent claims 2 and 4-5. As amended, claim 1 is directed to a wireless communications device wherein a user may utter predetermined voice commands to place the wireless communications device in a PTT mode. While in the PTT mode, the user may utter additional predetermined voice commands to key the transceiver to begin transmitting the user's speech to a remote party, and un-key the transceiver to end transmissions of the user's speech to the remote party.

Girard does not disclose keying and un-keying a transceiver while in a PTT mode responsive to predetermined voice commands to begin and end the transmission of a user's speech signals. Rather, Girard configures a mobile station to enter the PTT mode responsive to a single action (i.e., by pressing the PTT button or issuing a voice command). According to Girard, this single action "means that the user does not have to push multiple buttons, and a mode button several times to select the desired mode." *Girard*, para. [0013] (emphasis added). However, Girard never addresses how the user keys and un-keys the transceiver once the mobile station is in the PTT mode. This is not surprising as Girard is not directed at how a user might key and un-key the transmitter while the mobile station is in the PTT mode, but rather is directed at reducing the number of steps a user must perform to enter a given mode "by

eliminating the need for a mode button.” *Girard*, para. [0010]. Girard does not teach that the user issues voice commands to key and un-key the mobile station’s transceiver to begin and end transmissions of the user’s speech while the mobile station is in the PTT mode. Thus, Girard fails to anticipate amended claim 1 under §102.

Claims 14, 22, and 36 have also been amended to contain language similar to that of claim 1. Particularly, claim 14 and 22 recite keying and un-keying the transceiver using voice commands while the wireless communications device is in the PTT mode. Claim 36 does not require the wireless communications device to be in a PTT mode, but does require that the user key and un-key the transceiver to begin and end transmissions of the user’s speech using predetermined voice commands. For the reasons stated above, Girard fails to anticipate any of claims 14, 22, and 36 under §102.

#### 35 U.S.C. §102(e) Rejections over Son

Son discloses a system and method that permits a user to control the functionality of a communication device. Such functionality includes accepting a voice command to dial the telephone number of a remote party. However, Son does not teach keying and un-keying a transceiver to begin and end the transmission of a user’s speech to a remote party. In fact, Son explicitly teaches that the communication device exits the voice command mode when the number is dialed so that the caller can converse with the remote party. “[I]t is preferred that the communication device transition from the idle mode to the conversation mode upon the receipt of such command, and that the device exit the voice mode once the number is dialed.” Son, col. 14, ll. 39-42 (emphasis added). Because Son exits the voice command mode once the number is dialed, Son necessarily cannot teach keying and un-keying a transceiver responsive to a voice command to begin and end transmission of the user’s speech. As such, Son fails to anticipate amended claim 36 under §102.

35 U.S.C. §103(a) Rejections over Son in view of Girard

Regarding claim 1, Son discloses that the communication device exits the voice command mode once the remote party's number is dialed. Because the voice command mode is inactive during a conversation, Son cannot teach or suggest keying and un-keying a transceiver while the communication device is in a PTT mode to begin and end the transmission of the user's speech signals. In fact, as the Examiner admits, Son does not teach or suggest that the disclosed communication device is in a PTT mode. For the reasons stated above, Girard also fails to teach or suggest keying and un-keying the mobile station's transceiver with voice commands while in the PTT mode. Therefore, neither Son nor Girard teach or suggest, alone or in combination, keying and un-keying a transceiver responsive to predetermined voice commands while a wireless communications device is in the PTT mode to begin and end the transmission of the user's speech signals. Accordingly, the §103 rejection of claim 1 fails as a matter of law.

Claims 14 and 22 contain language similar to that of claim 1, and thus, for the reasons stated above, Son and Girard also fail to teach or suggest, alone or in combination, claims 14 and 22.

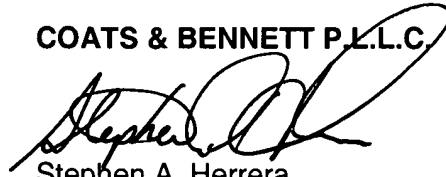
Claims 25 and 36 do not require the wireless communications device to be in a PTT mode; however, both claims 25 and 36 call out keying and un-keying a transceiver to begin and end transmissions of the user's speech signals. Thus, for reasons similar to those stated above, neither Son nor Girard teach or suggest, alone or in combination, claims 25 and 36. Accordingly, the §103 rejections of claims 14, 22, 25, and 36 also fail.

In light of the foregoing amendments and remarks, Applicant respectfully requests allowance of all pending claims.

Respectfully submitted,

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By:

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